

SENATOR HALE BACKS BROWNSON

Head of Senate Naval Committee Denies Surgeon's Right to Command.

CONGRESS TO TAKE ACTION

PENDING BILL SETTLES THE MATTER DEFINITELY.

Washington, Dec. 27.—The formal order detaching Rear Admiral Brownson from duty as chief of the bureau of navigation was made public today. The same order detaches him from membership in the joint army and navy board.

Senator Hale, chairman of the committee on naval affairs, voiced frankly his attitude towards the resignation of Admiral Brownson as chief of the bureau of navigation.

"I think that Admiral Brownson has acted with praiseworthy courage and promptness in tendering his resignation," said Senator Hale, adding that he had seen the admiral since his resignation. Mr. Hale continued:

Would Not Give Them Command.
"I have always sustained the staff officers in their fight for positive rank and complete recognition such as are received by their peers in the army, and I now have a bill pending which gives them such recognition throughout the service. But in that measure there is a precautionary provision against giving them actual command of any naval vessel. This is the continuation and extension of the fight between the branches of the service. That fight is the crux of the present controversy, and because I think he is right my support is given unreservedly to the admiral against the contentions of Surgeon General Rixey. It may be that on some occasions staff officers have been in command of vessels, but I know of no instance in which staff officers have been given command after the point was raised and both sides were heard. I don't believe that the contention for command by staff officers has ever been pressed seriously in the past."

Senator Hale's Reason.

When asked for his reasons for the position taken, Senator Hale replied:

"They are entirely in the interests of discipline. Think what might happen if the command of the vessels should be turned over to a chaplain, or even to a paymaster, and it is just as reasonable to put the crews of a naval fleet under the charge of those officers as it is to place them under the command of a surgeon."

DOCTORS ALL AGREE.

Just the Thing for Surgeon to Command Hospital Ship.

Cincinnati, O., Dec. 27.—Dr. C. A. S. Reed, chairman of the executive committee of the American Medical Association, today sent the following telegram to Surgeon General Rixey at Washington:

"Your demand and the president's order giving the medical corps of the navy actual control where it has actual responsibility command grateful approval of 140,000 physicians of the United States."

When Dr. Reed learned of Rear Admiral Brownson's resignation and the reason, he telegraphed President Roosevelt commending his stand in the name of the American Medical Association.

SURGEON TO COMMAND.

Order Will Be Issued Provided Merchant Crew Is Secured.

Washington, Dec. 27.—The orders assigning Surgeon Charles F. Stokes to the command of the hospital ship Relief are expected to be signed very soon. It having been definitely decided, according to Secretary Mallory, to appoint him to that position. With this end in view, every effort will be made to obtain a merchant crew and master for the vessel. Failing to man the Relief with a crew from the merchant marine, the enlisted force of the navy will be drawn on and a line of officer assigned as captain, in which case he will have command.

While the ship is practically ready for service, there are a number of things to be done to put her in the best shape, which will take probably until the 1st of February. The scheme of having a medical officer command the Relief, in the event that a merchant crew is secured, is to have a trial for at least six months, and if the experiment proves satisfactory,

then the expectation is that the assignment of a surgeon to command hospital ships will be a permanent feature of naval administration.

Admiral Brownson's relinquishment of his position as chief of the bureau of navigation, carrying with it as it did, extensive connection with the naval general board, will result in a considerable loss of pay to the officer. Being entirely without duty and relegated to the retired list, his income will be diminished in the first place by the loss of 25 per cent of the full pay of an admiral on the active list, namely, \$15,000 a year. Also he will no longer receive the allowance to an active officer of his grade of \$1,500 a year for quarters and \$500 a year for heat and light. It so happens, however, that Admiral Brownson is a man of independent means and able to disregard financial conditions in taking his stand as champion of the line in the present battle with the staff.

Take no substitute at soda fountain. Ask for the original and genuine food drink. "Horlick's" Malted Milk, not in a milk truck.

AWAITING ACTION OF COURT

Miners and Owners at Goldfield Quiet and Peaceable—More Depu-

ties Sworn In.

Goldfield, Nev., Dec. 27.—Both sides of the labor controversy in Goldfield are tonight anxiously awaiting word from Carson as to the result of the attempt of the mine owners to secure from the United States circuit court an injunction against the members of the Western Federation of Miners and the Goldfield miners' union prohibiting them from picketing the mines and compelling them to cease meeting or conducting the business of the union in Goldfield. The mine owners are hopeful of the success of the measure, while the leaders in the union are still maintaining that they will fight and such injunction if granted, to the end. As yet there has been no apparent effort made by the union or C. E. Mahoney on behalf of the Western Federation to prevent the granting of the injunction.

The sheriff has today sworn in about 150 more deputies, who are compelled to give bonds in the sum of \$2,500, and who are to be ready for a call to duty at any minute after the departure of the troops. No more strike-breakers have arrived.

ENTIRE LODGE WIPED OUT.

Darr Disaster to Every Member of St. Mary's Beneficial Lodge.

St. Mary's Creek, Pa., Dec. 27.—The Darr mine yielded more victims of the explosion of Dec. 19 today, seventy or more bodies having been brought to the surface during the twenty-four hours. Rescuers are removing debris from entry No. 2, among which they have found a mass of bodies, those in view and those already brought out totaling over 200.

The mine is now being worked by a reach of all of the bodies that will be recovered, and as air is now being forced to the remote workings, it is hoped to have the work practically completed early tomorrow.

It was learned today that the disaster completely wiped out St. Mary's beneficial lodge, which had over 100 members, not a member being left to administer the affairs of the lodge.

LAWRENCE SAYS PRICE OF COAL IS AN OUTRAGE

Continued From Page 1.

50 cents and later to 75, which is really an extortionate figure. The streets are paved now and the old troubles that used to confront the teamster have disappeared. In making this reduction I did so without consultation with any of the other dealers."

It is estimated that the reduction in the price of coal will amount to \$500 a day in the city of Salt Lake during the winter months.

There is no question about the fact that Salt Lake, and doubtless numerous other places, are bountifully supplied with coal. The breakdown in Montana has released much of the Wyoming coal, and that product is now on the market.

WHAT CAUSES HEADACHE?

From October to May, colds are the most frequent cause of headache. LAXATIVE BROMO QUININE removes cause. E. W. Grove on box. 25c.

CONTRACT SURGEON FOR FORT DOUGLAS

(Special to The Herald.)

Washington, Dec. 27.—Contract Surgeon Thomas B. McCown is ordered to Fort Douglas for duty.

HOLIDAY EXCURSIONS

Via D. & R. G. R. R., Dec. 19, 20, Omaha and Kansas City \$32.00

Denver, Colorado Springs 19.75

Other points intermediate, one fare plus \$2 for the round trip; 30-day limit returning. Stopovers in both directions.

The Vienna Bakery, boss bread makers. Ask your grocer.

COUPLE ARE ARRESTED.

Bartender and Young Girl Are Being Investigated.

The police yesterday looked up C. W. Scott, a bartender, and placed Maggie Smith, apparently about 15 years of age, in charge of the saloon at the city hall pending an investigation of the case.

On twenty-fourth street, where they had apartments. At first Scott claimed that the girl was his daughter, and later that she was his lawfully wedded wife, stating that they had been married in Santa Rosa, Cal. The authorities at that place have been telegraphed.

The girl said that she was 16 years of age, and that she was born at Green Valley, and went to Santa Rosa to live about three years ago; that she married Scott there about a year ago, and that he came on to Ogden and later on to Ogden, where they had apartments. She said that she had been in this city about a month. In reply to a question as to why Scott had attempted to deceive the police, she said it was on account of her being so small. Until a reply is received from California no charge will be made.

Ogden Briefs.

MARRIED BY JUDGE.—Earl C. Ball of Coatsville and Miss Primrose Wadsworth of Morgan were yesterday married by Judge J. A. Howell, at the county building, in this city.

WRIT FOR JOSEPH.—For failing to pay alimony a writ of attachment has been issued by Judge Howell for Joseph Hagan. Hagan's wife secured a divorce from him some time ago, and the decree included an order to pay monthly alimony. Hagan has ignored this order and his wife has complained.

CHIEF ISSUES ORDER.—The chief of police is determined to stop fast driving through the streets and has issued the following order to his men: "Complaints are coming in daily about delivery boys driving around corners at high speed, and it is hereby ordered that you are specially instructed to see that the law is enforced."

MRS. HARRIET BROWN DIES.—Mrs. Harriet Brown died yesterday morning at her home, 2506 Madison avenue, from an attack of pneumonia. She was 75 years of age and was born in New York state in 1834. She came to Ogden in 1856, five years after she joined the Mormon faith. She is survived by two daughters and one son. The funeral will be held at 12:30 o'clock Sunday afternoon, at the Fifth ward meeting house.

PUBLIC SPEAKER INTERRUPTED.

Public speakers are frequently interrupted by people coughing. This would not happen if Foley's Honey and Tar were taken, as it cures coughs and colds, prevents pneumonia and consumption. The genuine contains no opiates and is in a yellow package. F. J. Hill Drug Co. The Never Substitutors.

RECEIVER IN CHARGE.

New Orleans, Dec. 27.—On the application of William P. Luck, who represents several large manufacturing concerns, the Schwartz Foundry company was today placed in the hands of a receiver, Moses Schwartz, the president, disappeared from New Orleans at the same time as William Adler, head of the wholesale grocery firm of Adler & Co.

Ogden News

Office, 2484 Washington Ave.

Ogden, Saturday, Dec. 28.

WHY CHARLEY QUIT FIGHT

Wife Beater Throws Brick at Her and She Retaliates With Pistol.

Charley Brown, who, on account of his treatment of his wife, figured prominently in police circles up to a few months ago, broke loose again yesterday and knocked his wife down with a brick. In return Mrs. Brown whipped out a six-shooter and took two shots at him. Both shots went wide of the mark, but Charley took to the woods and has not been seen since.

After a series of rows here in which the police were appealed to several times, the Browns left Ogden for some time lived in Denver. During their absence from Ogden nothing was heard here of the fellow. About two weeks ago they returned to this city, but it is understood they have not been living together. The woman, who is a native of Ogden, approached each other from different directions, on Grant avenue. The woman, who is a native of Ogden, approached each other from different directions, on Grant avenue. The woman, who is a native of Ogden, approached each other from different directions, on Grant avenue.

NEW FRANCHISE PASSED.

Ordinance for Viaduct That Satisfies Railroad Companies.

Another Twenty-fourth street viaduct franchise was passed by the city council at the special session held last evening. The ordinance as adopted was in effect the same as agreed upon by the representatives of the council, the railroad people and the Ogden Rapid Transit company. It is known that the franchise is acceptable to both the railroad and the street car companies and the only thing standing in the way of its becoming a law is the veto of the mayor. The previous franchise voted by that official contains the provision that the city shall maintain the surface and the railroad people the structural part of the viaduct.

As compared with the previous sessions of the council when this matter was brought up, last night's meeting was a tame affair. Councilmen Brown and Thomas were the only two who opposed this measure and they only offered a few amendments, all of which were voted down.

The intention is that in case the mayor vetoes the new ordinance the council will pass it over his veto at Monday night's session.

OTHER SIDE OF THE STORY.

Brakeman Tells Why He Struck Man With Lantern.

C. J. Taylor, the freight brakeman who a few days ago knocked J. D. McCullough of Harrisville insensible with a blow from his lantern, yesterday called on Sheriff A. Sebring, to see if a warrant had been issued for his arrest. He was not detained, no complaint being made against him.

Taylor gave an entirely different version of the affair from that told by McCullough. Taylor told the sheriff that he detected McCullough in the act of opening the air cocks on the cars while the train was standing at Harrisville. He said he was on the top of a box car at the time and called to McCullough, telling where he was going. In reply he was informed that it was none of his business, and he claimed McCullough started toward him. Not knowing who the fellow was and not caring to take any chances, Taylor said he picked up his lantern, hitting him as hard as he could.

McCullough was notified that Taylor had surrendered himself, but he did not evince much desire to complain against him.

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OBJECT OF SUIT NOT MERE MONEY

Brought to Determine Legality of President's Action in Brownsville Matter.

PLAINTIFF OSCAR W. REID

SINEWS OF WAR FURNISHED IN NEW ENGLAND.

New York, Dec. 27.—United States District Attorney Stimson said today that he had been served with the papers filed in the United States district court by counsel for Oscar W. Reid, a member of the battalion of the Twenty-fifth infantry, which was disbanded by executive order following the rioting at Brownsville, Tex. The plaintiff sued the government to recover pay lost through his discharge from the army. The attorneys in the case have admitted that they were retained by "wealthy gentlemen of New England," whose real object is to determine the legality of the president's action. Stimson said that he had as yet given the complaint only a cursory examination, but that he did not think that there was any evidence that President Roosevelt had violated his constitutional right in discharging the colored soldiers "without honor." The district attorney added that he had not decided what he would do in the matter. He might, he thought, remur to the complaint, or possibly waive that right, and if he was convinced that he was right in accepting service of the papers, try the case upon its merits.

No Politics in It.

Chase Mellen, of counsel for the plaintiff, said today: "I am not at liberty to tell you the gentlemen back of this action are. They will disclose their identity at the proper time, and somebody will be surprised. They are all men of national prominence. They banded together in an informal organization for the purpose of seeing that poor individuals received the rights guaranteed them by the constitution of the United States. They selected the case of Reid because his dismissal appears to them to be a particularly flagrant case of violation of the constitution. He is a very poor man and could not afford to dress himself. They will help any other individual, black or white, who has been treated in the same manner. These gentlemen are withholding their names at present because they do not want the public to attach any political significance to their action. I can state positively for them that politics has nothing whatever to do with it. Their action is actuated by something higher than that."

INTEREST IN WASHINGTON.

Secretary of War Not Yet Served With Papers.

Washington, Dec. 27.—War department officials are most interested in the reported action of a firm of New York lawyers in bringing a test case in a federal court in New York to determine the right of the executive to discharge a battalion of the Twenty-fifth infantry as an outcome of the rioting at Brownsville, Tex. No such action has ever before been brought against the secretary of war in a United States court under the Tucker act of 1887. The secretary of war is not yet served with papers directing him to make answer in the suit filed in behalf of Private Reid of company C to recover \$125, the amount of pay which he claims from the date of his dismissal, Nov. 5, 1906, to the date of the termination of the enlistment, July 18, 1907.

NOTICE TO OUR CUSTOMERS.

We are pleased to announce that Foley's Honey and Tar for coughs, colds and lung troubles, is not affected by the national pure food and drug law, as it contains no opiates or other harmful drugs, and we recommend it as a safe remedy for children and adults. F. J. Hill Drug Co. The Never Substitutors.

JUROR SICK WITH GRIP.

Chicago, Dec. 27.—The trial of John R. Walsh was adjourned today until next Thursday because of the illness of a juror, Charles Davey, a farmer. He is suffering with grip, which may develop into pneumonia. If his illness becomes severe the result may be a mistrial.

WEAKNESS IN WOOL.

(Special to The Herald.)
Boston, Mass., Dec. 27.—There is a surplus of short wools here and elsewhere throughout the country and abroad. This is the chief weakness in the situation from the high point of last fall. There has been a break of four to five cents a pound. Concessions have been made to give certain parcels of territory wool of 60,000 pounds in the original bags, including Idaho, Utah, etc., sold on the sound basis of fifty-eight cents for fine mediums.

New evening classes for employed men and boys begin at Y. M. C. A.

Jan. 2. Ask for Association Institute prospectus.

Vienna Walnut bread cannot be excelled. Ask your grocer or phone 1981.

Uncalled-for suit and overcoats, \$10 and up. Daniels, 57 W. 2d South.

COMMERCIAL NATIONAL BANK

SALT LAKE CITY

The New Year

The New Year comes with real good cheer and bright prospects to the man or woman with a Bank Account. If you are contemplating opening an account or making new banking connections, we cordially invite you to call and inspect the Safety Equipment and Conveniences of the Commercial National Bank.

4 Per Cent Interest Paid On Savings Accounts of \$1 and up.

Walker's

CORNER 3rd SO. AND MAIN

Phones: Independent—227; Bell—EXCHANGE 22. Call all departments.

Over 300 street and evening coats at 1/2 to 2/3 off regular prices Saturday!

This splendid pre-inventory clearance comes at just the time when coats will be needed most this season. The exceeding mildness of the weather is predicted to give place to more boisterous kind—and though many have managed "to do" without replenishing their winter wardrobes—there'll be a time, and that right soon, when heavier clothing will be a necessity. Here's the best chance you have had or will have—come Saturday and select from our entire line of afternoon and evening coats at the following price concessions:

Up to \$65.00 evening coats for \$24.75
\$75.00 to \$95.00 evening coats for \$34.75
\$12.75 to \$20.00 street coats for \$6.95
\$22.50 to \$30.00 street coats for \$9.75
\$32.50 to \$40.00 street coats for \$15.75
\$42.00 to \$55.00 street coats for \$16.95
\$57.00 to \$75.00 street coats for \$24.75
\$80.00 to \$100.00 street coats for \$39.75

Entire remaining stock of women's tailored suits, including plain broadcloths and worsteds in strictest style correctness; values \$25.00 to \$125.00 each. Choose at exactly 1/2 prices

Women's and misses' sweaters 1-2 priced. Finest all wool yarns, Norfolk jacket and straight styles. Heavy ribbed and fancy weaves—nearly all white. Values \$2.00 to \$10.00. Choose at \$1.00 to \$5.00.

Splendid line of wool waists special. Fine quality nun's veiling, albatross and plaid worsteds. Black and range of colors, reduced like these: \$5.50 to \$6.50 waists to go at \$2.95. Waists worth \$7.50 each to go at \$3.95. Ready to wear section—First floor—Annex.

Complete stock of girls' and children's winter coats to go Saturday all day at 1/3 off

Fine range of styles in broadcloths, kerseys, meltons, fancy worsteds, velvets and bearskins—schedule of reductions:

Full range of sizes from 3 to 15 years. Juvenile section—First floor—Annex. Auto gift ticket with each \$1.00 cash purchase.

Odeon Dancing Academy

25 East North Temple

SOCIALS

Thursday and Saturday Nights

ADMISSION 50 CENTS.

Come and enjoy yourselves on the finest spring floor in the world.

Utah Dental Co.

RELIABLE DENTISTS.

24 Main Salt Lake City

Branch offices, Ogden, Logan, Brigham, Provo, Park City. Guarantees good at either office.

That Good Coal

BAMBERGER

161 MEIGHN STREET

PEACHES!

3 cans best quality California Peaches 3.00
50 lbs. good Cheese, per lb. 1.00
Fresh mixed Nuts, no Peanuts, per pound50
Fresh Eggs, per dozen25
1 lbs. best Sweet Potatoes10
Pancake Flour, per pkg.10
2 lbs. Stick and Mixed Candy25
6 lbs. best Cooking Apples10
1 1/2 lbs. Sugar10
4 lbs. Macaroni10
5 lbs. Dried Prunes10
5-lb. pail Lard10
10-lb. pail Lard10
Potatoes, per bushel10
2 cans Lemon or Vanilla Ext.10
3 cans Corn10
3 cans Peas10
20-ounce can Cream10
2 pkgs. Blue Ribbon Raisins10
4 boxes 5c Matches10
3c bottle Worcestershire Sauce10
2c bottle Washing Fluid10
2 lbs. Dates10
5 lbs. Bacon10

CHICAGO STORE

72 SOUTH WEST TEMPLE.

SALT LAKE THEATRE

MANAGER CURTAIN

SOUVENIR MATINEE TODAY, TONIGHT LAST TIME.

ISABEL IRVING

And an Exceptional Supporting Company.

In the new play by Clyde Fitch.

The Girl Who Has Everything

Direction of Lieber & Co.

Prices—Evening, 25c to \$1.50; matinee, 25c to \$1.00.

Next attraction, "Under Southern Skies," Mon. and Tues. Sale now on.

Ophium

THEATRE

ADVANCED VAUDEVILLE.

ALL THIS WEEK.

La Scala Sextette.

"Silvers & Siegrist," Geo. Wilcox, Two Vivians.

Orpheum Orchestra.

75c, 50c, 25c, 10c, 5c, 2c, 1c.

Matinees, Daily (except Sunday and Monday), 50c, 25c, 10c, 5c, 2c, 1c.

Grand Theatre

Direction Pelton & Smutzer.

C. W. Anderson, Res. Mgr.

Matinee Today 2:30 p. m.

Prices 15c and 25c.

The dramatic event.

A Wife's Secret

An interesting story of real life.

NEXT WEEK

The Girl and the Stampede

Lyric Theatre

The Moore Stock Company

Presents the Great Western Drama

A COWBOY'S HONOR

One show tonight, 8:15.

Candy matinee Saturday. Special New Year's matinee Wednesday, 2:30. Prices, 10c, 20c, 30c.